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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,066	03/15/2004	Jaime E. Garcia	DEL 03-4-3

23531  
 SUITER WEST PC LLO  
 14301 FNB PARKWAY  
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 OMAHA, NE 68154



## CONFIRMATION NO. 1246 FORMALITIES LETTER



\*OC000000012828025\*

Date Mailed: 06/01/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$158** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1058** for a Large Entity

• <b>\$770</b> Statutory basic filing fee.	07/21/2004 MAHMED1 00000035 194882 10801066
• <b>\$130</b> Late oath or declaration Surcharge.	01 FC:1001 770.00 DA 02 FC:1051 130.00 DA 03 FC:1201 86.00 DA 04 FC:1202 72.00 DA
• Total additional claim fee(s) for this application is <b>\$158</b>	

- **\$86 for 1 independent claims over 3.**
- **\$72 for 4 total claims over 20.**

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*T.C.W.*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT**  
Attorney Docket N°: DEL 03-4-3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Jaime E. Garcia et al.  
Serial N° : 10/801,066  
Filed : March 15, 2004  
Group Art Unit : 3724  
Examiner :  
For : **RIVING KNIFE ASSEMBLY**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION**

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**CERTIFICATION UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service on July 16, 2004, in a First Class envelope, with sufficient postage thereon, addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Penny L. Flint  
Penny L. Flint

DATE: July 16, 2004

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Applicant responds to the *Notice to File Missing Parts of Application* dated June 1, 2004, in reference to the above application for patent as follows:

1. A signed *Combined Declaration and Power of Attorney In a Non-Provisional Patent Application* is attached.
2. The Commissioner is hereby authorized to charge Deposit Account 19-4882 in the amount of **\$1,058.00** to cover the surcharge and filing fees. A duplicate copy of this *Response* is enclosed for accounting purposes.

3. The Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees which may be required for this *Response*, or credit any overpayment to Deposit Account № 19-4882.
4. A copy of the *Notice to File Missing Parts of Application* is attached herewith.

Please direct all correspondence to: **CUSTOMER NO. 23531**

SUTER • WEST PC LLO  
14301 FNB Parkway, Suite 220  
Omaha, NE 68154-5299  
(402) 496-0300 (Telephone)  
(402) 496-0333 (Telecopier)

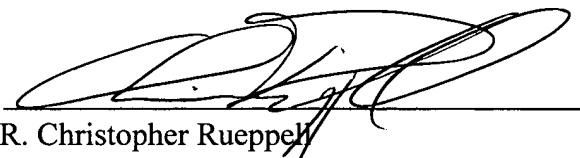
DATED: July 16, 2004.

Respectfully submitted,

Jaime E. Garcia et al.,

Delta International Machinery Corp. ,

By



R. Christopher Rueppel

Reg. № 47,045

ATTACHMENTS:

1. *Combined Declaration and Power of Attorney in a Non-Provisional Patent Application.*
2. Copy of this *Response* for accounting purposes.
3. Copy of *Notice to File Missing Parts of Application*.
4. Return Postcard.